

<b>STATEMENT of POLICY and PROCEDURE</b>			
Chapter:	Administration & Human Resources	SPP No.	<b>HR 2.22. OKIB</b>
Section:	Policy Manual Administration	Drafted:	June 2022
Subject:	<b>COMMUNITY COMPLAINTS AND RESOLUTION POLICY</b>	Approved:	July 25, 2022
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## **COMMUNITY COMPLAINTS AND RESOLUTIONS POLICY**

### **1 PURPOSE**

1.01 The purpose of this Policy and Procedure is to provide an effective complaint process which OKIB members can use. It is a vehicle by which Members may lodge complaints or express concerns to OKIB administration about unjust treatment, or to dispute a decision that affects them. This policy will provide the steps to address and resolve the issues whatever they may be.

### **2 POLICY**

2.01 Administrative fairness is the standard of conduct Members can expect from OKIB employees.

2.02 The Complaint procedure will require the Complainant to first deal with the Employee or Contractor in question. If that fails, the Complaint should be brought to the attention of Human Resources. At this stage an investigation will occur where the Division Director will be involved to seek resolution. If the Complainant is unhappy with the resolution, he or she can take the issue to Council.

2.03 OKIB recognizes there may be power imbalances between the Complainant and the Employee/Contractor (e.g.: employee-supervisor; family/martial relationships) causing a party to feel “uncomfortable” or there may be safety concerns (e.g., threat of violence). In these instances, the Complainant will not be required to first deal with the Employee personally, the Complaint may be addressed by Human Resources.

2.04 If a Complaint is well-founded, Administration will take steps to address the Complaint, and prevent future occurrences.

2.05 Administration will ensure the Community Complaints and Resolution Policy is available to Members, Contractors and Employees.

2.06 Members must be informed, where applicable, that as the Complaint resolution unfolds information might be released to senior management and Council; the disclosure of information will be kept confidential.

### **3 SCOPE**

3.01 The Statement of Policy and Procedure applies to all Members, Employees and Contractors of the OKIB.

### **4 RESPONSIBILITY**

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- 4.01 Employees are responsible for the administration of this policy.
- 4.02 Human Resources is responsible for investigating and responding to Complaints if they cannot first be resolved between the Member and the Employee/Contractor.
- 4.03 Employees and Contractors who have a Complaint raised against them will participate in the Complaint resolution process in a respectful manner.
- 4.04 Members who believe they have legitimate Complaints are encouraged to use the Complaint resolution procedures - without fear of reprisal or retaliation. In exercising their right to be heard, Members will lodge their Complaints in a reasonable manner, while remaining respectful.

## 5 DEFINITIONS

**Administration** means a division of the OKIB which includes departments;

**Complaint** means an expression of dissatisfaction made by a member relating to the supports or services provided by an Employee or Contractor;

**Complainant** means the Member who feels unfairly or unjustly treated in respect, or omitted from, being considered for jobs, education opportunities, housing allocation and other services, entitlements or benefits;

**Confidential** means to treat specific information as secret and that it will not be disclosed except in accordance with this policy. Confidentiality ensures that Members feel free to discuss all aspects of their Complaint without fear that the information will be improperly disclosed;

**Contractor** means a person or business contracted by OKIB to provide a service for a limited term or to complete a defined project or task;

**Council** means the OKIB leadership consisting of one Chief and ten Councillors;

**Division Director** means the head of the Department where the Employee, who is the subject of a Complaint, works;

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**Employee** means an individual who is employed by the OKIB under a contract of employment;

**Human Resources** means the Human Resource Director and includes Employees in the human resource department who are tasked with investigating a Complaint;

**Member** means an individual whose name appears on the OKIB membership list (as defined by the Indian Act);

## **6 REFERENCE and RELATED STATEMENTS of POLICY and PROCEDURE**

- British Columbia *Human Rights Code*
- Policy HR2.02.OKIB-*Behavioural Competencies*
- Policy HR5.03.OKIB-*Respectful Work Environment*

## **7 PROCEDURE**

### **7.01 Resolution Process**

- (a) Employees and Contractors are required to resolve Complaints, whenever possible, at first contact.
- (b) If the Member does not initiate a Complaint at first contact, they may do so soon after, by email, phone, text, or in person. The Employee/Contractor will respond within three business days of learning about the Complaint.
- (c) If a resolution satisfactory to the Complainant is achieved; the process ends without any further action.
- (d) If a resolution does not happen, the Complainant can contact Human Resources. Within five business days Human Resources will independently and discreetly investigate the Complaint by speaking with the Employee/Contractor, the Complainant and the Division Director.
- (e) A recommended resolution will be put forth by Human Resources and communicated to the parties involved. If there is evidence of wrongdoing by the Employee, that information will be recorded in their personnel file.
- (f) If the Complainant is still unsatisfied with the resolution they may wish to bring the issue

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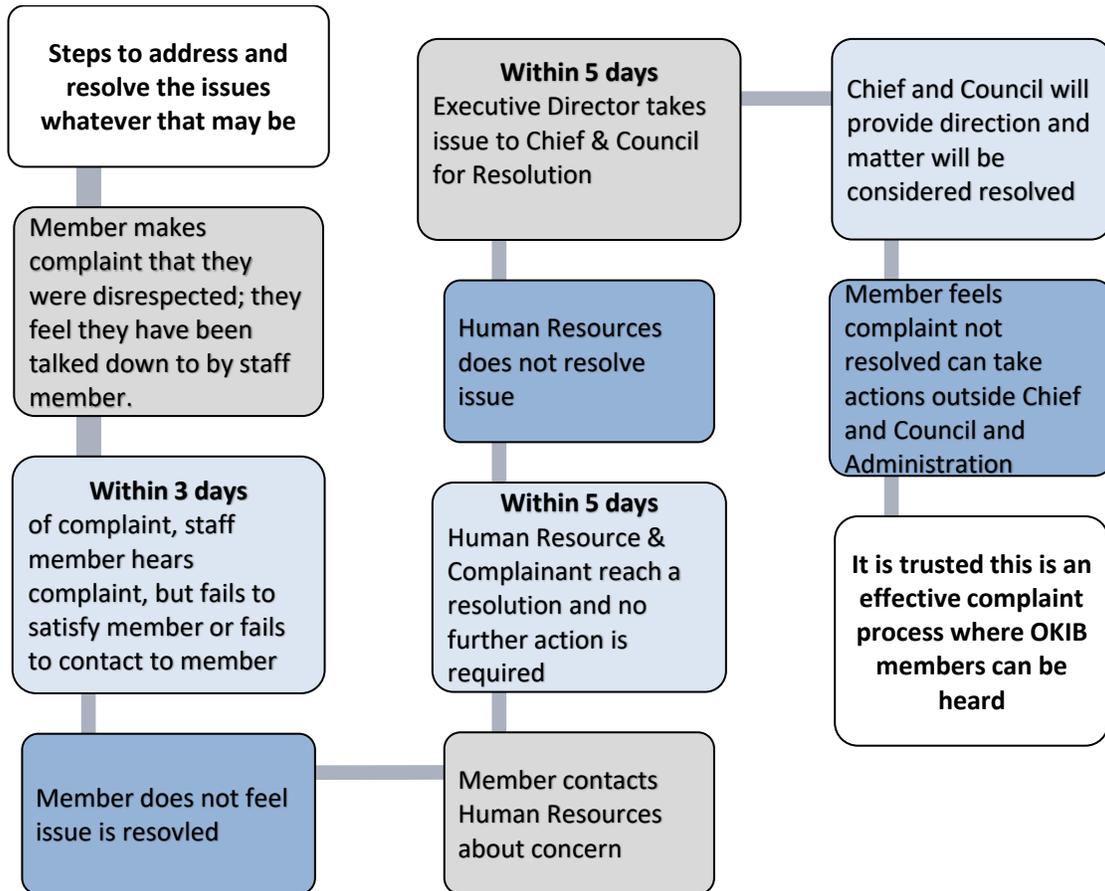
to Council. In this event, the Executive Director will prepare a briefing for Council that will be presented in the closed session of the next duly scheduled Council meeting. The Complainant will be given the chance to discuss their Complaint with Council at this time.

- (g) Council will provide direction on the Complaint and any actions needed will be taken by the Employee/contractor or, if applicable, other staff. For example, Council may require the parties participate in a restorative justice process. After Council issues direction, the Complaint will be considered resolved.
- (h) If the Complainant is still unhappy with the situation, they are free to pursue other actions outside the realms of Council or Administration.

## **8 ATTACHMENTS**

### **COMMUNITY COMPLAINTS AND RESOLUTION FLOW CHART Steps to address and resolve issues:**

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**9 REPEALS**

n/a